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Claims 1-31 remain in the application for consideration. The Office Action rejected all 31 claims pursuant to 35 U.S.C. § 103 (a). As discussed below, Applicants traverse these rejections and respectfully request reconsideration of the present application.

Claims 1, 16, 17, 23, 24, 30 and 31 are independent claims. Claim 1 is directed to a method for producing a unique modified account name based on a requested account name that has been determined to already exist. Claims 2-15 depend from claim 1. Consistent with claim 1, claim 16 is directed to a computer-readable medium having computer-executable instructions for a method of producing a unique modified account name based on a requested account name that has been determined to already exist. No claims depend from claim 16. Claims 17 and 31 recite a method of producing a unique random account name in response to a request by a user. Claims 18-22 depend from claim 17, while no claims depend from claim 31. Consistent with claim 17, claim 23 recites a computer-readable medium having computer-executable instructions for performing a method of producing a unique random account name in response to a request by a user. No claims depend from claim 23. Finally, claim 30 is directed to a method of producing a unique account name based on a requested account name. No claims depend from claim 30.

The Office Action rejected all 31 claims in this application stating that the claims are obvious in light of various combinations of U.S. Patent No. 5,117,351 issued to Miller (the Miller patent), U.S. Patent No. 5,581,765 issued to Munroe et al. (the Munroe patent), U.S. Patent No. 6,148,420 issued to Schlater et al. (the Schlater patent),

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and U.S. Patent No. 5,768,519 issued to Swift et al. (the Swift patent). Contrary to the assertions in the Office Action, the cited references are not analogous prior art and, therefore, cannot support the stated rejections. In addition, there is no motivation from the prior art to combine the cited references. Even if combined, the cited references, taken as a whole, do not teach or suggest all of the limitations of the subject claims and there is no motivation from the prior art to modify the references to include the missing limitations. Therefore, Applicants respectfully traverse the rejections.

In order to rely on a reference under 35 U.S.C. §103 (a), it must be analogous prior art. MPEP § 2141.01(a). "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of the applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *Wang Laboratories, Inc. v. Toshiba Corp.*, 993 F.2d 858, 26 U.S.P.Q.2d 1767 (Fed. Cir. 1993) (reference involving memory circuits in which modules of varying sizes may be added or replaced in a different field of endeavor than claimed invention involving compact modular memories). Thus, a reference cannot be considered to be within the same field of endeavor as Applicants' invention merely because both relate to computers.

Applicants' field of endeavor relates to systems and methods for establishing unique account names or IDs for users of a service such as an online service. The unique account name is established in response to a user request, and in some instances the user request may include a proposed account name. Importantly, Applicants' systems and methods contemplate providing the unique account name or ID

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to the user, as evidenced by the use of real words or a combination of real words and numbers for account names rather than strings of numbers of indeterminate length.

The cited references are not in the field of Applicants' endeavor. The Miller patent discloses a device and method for generating identifiers for objects in a computer system. Similarly, the Munroe patent discloses an object pointer data structure formed by combining a global object identifier with a local object address and a system and method for forming the data structure. These references do not contemplate user interaction or input in the naming method or providing the identifier to the user. The identifiers produced are intended solely for internal use within a computer system. The Schlater patent discloses a method and apparatus for analyzing serial data and, thus, does not relate to naming anything. Stated simply, the Schlater patent is even further removed from Applicants' field of endeavor than the Miller and Munroe patents. The Swift patent discloses a method and apparatus for merging user accounts from a single domain into a target domain. The Swift patent is not concerned with creating unique user account names but, instead, deals with existing names. As with the Miller and Munroe patents, the Swift patent does not contemplate user interaction and does not produce an identifier that is provided to the user. For these reasons, the cited references fall outside of Applicants' field of endeavor.

The cited references are not reasonably pertinent to the particular problem with which Applicants were concerned. Applicants were concerned with the problem of assigning a unique account name for a user in response to a user request that may include a requested account name that is not unique.

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By contrast, the Miller patent discloses a generator that concatenates one or more of a current time value, a random number sequence, a node ID and a version to produce an identifier. When a need for an identifier is noted by the system, a unique identifier is created using known identifiers and other numerical values. No input is received, sought or desired from a user or even from the object being identified. The unique name of the Miller patent involves some sequence of numbers and is not a name that is intended to be understood by a user. Applicants would not have contemplated the teachings of the Miller patent when considering the problem of creating a unique user identification.

The Munroe patent discloses an object pointer data structure formed by combining a global object identifier with a local object address and a system and method for forming the data structure. According to the Munroe patent, a system or device creates an address pointer that preserves part of the object identifier in each local address for an object that is transferred into a new virtual address space. The purpose addressed by the Munroe patent is to increase the efficiency of a system by allowing a single truncated pointer to carry all object identifier and address information and therefore be sufficient as both a global and a local object address. The Munroe patent does not teach or disclose receiving a request and/or input from a user seeking to create a user account name or distinguish between users. As with the Miller patent, the Munroe patent also does not contemplate any user interaction and does not produce an identifier to be provided to a user. Thus, the Munroe patent also is not reasonably pertinent to the particular problem addressed by Applicants.

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The Schlater patent discloses a method and apparatus for analyzing serial data. According to the method, the serial analyzer receives data from a logic analyzer, processes the data by converting it to parallel words, and generates a listing to be displayed. The Schlater patent clearly does not relate to the establishment of a name or an ID for anything, including the user of a service. Therefore, the Schlater patent is not reasonably pertinent to the particular problem addressed by Applicants.

The Swift patent discloses a method for merging a source domain into a target domain in a network. This method includes replacing the account identification for each account associated with the source domain by an account identification associated with the target domain and then adding the source domain account identification to an account security data structure. While nominally addressing security concerns, the Swift patent does not address creating a new and unique name or ID for a user, and, thus the Swift patent also is not reasonably pertinent to the particular problem addressed by Applicants.

For the reasons stated above, it is clear that the cited references are not analogous prior art for the present application because they are neither in the field of Applicants' endeavor nor are they reasonably pertinent to the particular problem with which Applicants were concerned. The cited references, therefore, cannot properly be used to reject the pending claims for obviousness. Thus, Applicants respectfully request withdrawal of the 35 U.S.C. § 103 rejections based on these references and submit that claims 1-31 are allowable over the prior art of record.

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The test for obviousness is whether the combined teachings of the prior are, taken as a whole suggest the modifications to the person of ordinary skill in the art. *In re Napier*, 55 F.3d 310, 34 U.S.P.Q.2d 1782 (Fed. Cir. 1995); *see also WMS Gaming, Inc. v. Int'l Game Tech.*, 184 F.3d 1339, 1355, 51 U.S.P.Q.2d 1385, 1397 (Fed. Cir. 1999). "Obviousness cannot be established by combining the teachings of the prior are to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination." *Carella v. Starlight Archery*, 804 F.2d 135, 231 U.S.P.Q. 644 (Fed. Cir. 1986). Some suggestion to combine the references is necessary.

If the invention is different from what is disclosed in one reference, but the differences are such that combination with another reference would lead to what is claimed, the obviousness question then requires inquiry into whether there is reason, suggestion, or motivation to make that combination.

Pro-Mold and Tool Co., Inc. v. Great Lakes Plastics, Inc., 75 F.3d 1568, 37 U.S.P.Q.2d 1626 (Fed. Cir. 1996). In addition, to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q.2d 580 (CCPA 1974).

First, there is no teaching, suggestion or motivation from the prior art to combine the cited references. As stated above, the Miller patent discusses creating an identifier by concatenating a node ID, the current time, a random name sequence and possibly a version number. In contrast, the Munroe patent discloses creating an object pointer by combining an object ID with an object address selected from a list of available addresses. None of the items in the Miller patent are stored in a list of "available items"

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awaiting use. In fact, the Miller patent teaches away from using stored items because of the opportunity for duplicate use. The Miller patent even takes steps to avoid duplicate use of the current time item by comparing this item to the previously used current time item and adjusting the current time item if appropriate. Thus the Miller patent and the Munroe patent are not properly combinable.

The Schlater patent is cited in the Office Action for its discussion about naming a column to be displayed. The Schlater patent, however, does not create a new and unique name for the column when compared to all other column names. The column name is just a label for a display; it is not even used as the address for the column. Thus, there is no suggestion or motivation from the prior art to combine the Schlater patent with any of the other cited references.

The Swift patent is cited in the Office Action for its discussion about accessing a directory service of objects on a database having account information. As discussed above, in the Swift patent a source domain is merged into a target domain in a network environment by replacing account identification and adding the source information to an account security data structure. The Swift patent does not disclose creating a new account name from scratch as do the Miller and Munroe patents. Thus, Swift is not properly combinable with the Miller and Munroe patents.

For the reasons stated, clearly, there is nothing from the prior art that teaches, suggests or motivates the proposed combination of the references. Therefore, it is improper to use a combination of these references to reject the claims in the present

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application. Thus, Applicants respectfully traverse the rejections based on 35 U.S.C. § 103 on the additional ground that the references are not properly combinable.

Even if the cited references were somehow combined, the proposed combination still does not teach or suggest all of the limitations contained in the Applicants' claims. Specifically, independent claims 1 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Miller, Munroe, and Schlater patents. Both claims 1 and 16 include receiving a requested account name from a user and providing a unique account name to the user for acceptance. The cited references do not include any similar teaching or suggestion. Both the Miller and Munroe patents relate to naming objects and do not receive or solicit information from a user nor from the objects being named. The Schlater patent deals with converting serial data to parallel words and also does not receive any information concerning names or identifications from a user or provide a user with any name or identification information. There is reference in the Schlater patent to naming columns that are to be displayed, however, this process does not include receiving a column name, insuring that it is unique and providing an alternative if it isn't. Thus, the combination of the Miller, Munroe, and Schlater patents does not achieve the invention of claims 1 or 16, and Applicants respectfully request withdrawal of this rejection.

Claims 2-15 depend from claim 1. For at least the reasons stated above with respect to claim 1, Applicants respectfully submit that claims 2-15 are patentable over the Miller, Munroe and Schlater references. Dependent claims 10 and 12-15 stand rejected as obvious under the combination of the Miller, Munroe, Schlater and Swift

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patents. The Swift patent does not disclose receiving a requested account name from a user and providing a unique account name to the user for acceptance, which are limitations of claims 10 and 12-15 by virtue of their dependency from claim 1. Accordingly, Applicants respectfully request withdrawal of the rejections of dependent claims 2-15.

Independent claims 17 and 23 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Miller, Munroe, and Schlater patents. Both claims 17 and 23 include receiving a request for an account name from a user and providing a unique account name to the user. As stated above, the cited references do not include any similar teaching or suggestion. Neither the Miller nor the Munroe patent disclose receiving a request for a name or identification from a user or providing a created name to a user. Both the Miller and Munroe patents discuss naming objects. While the Schlater patent discusses naming columns that are to be displayed, this process is not instigated by the user, the column name is not created by the system and the name is not provided to the user for approval. Thus, the proposed combination of the Miller, Munroe, and Schlater patents fails to achieve the invention of claims 17 or 23, and Applicants respectfully request withdrawal of this rejection.

Claims 18-22 depend from claim 17. For at least the reasons stated above with respect to claim 17, Applicants respectfully submit that claims 18-22 are patentable over the Miller, Munroe and Schlater references. Dependent claims 18 and 20-22 stand rejected as obvious under the combination of the Miller, Munroe, Schlater and Swift patents. The Swift patent does not disclose receiving a request for an account name from

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a user and providing a unique account name to the user for acceptance, which are limitations of claims 18 and 20-22 by virtue of their dependency from claim 17. Accordingly, Applicants respectfully request withdrawal of the rejections of dependent claims 18-22.

Independent claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Miller, Munroe, and Schlater patents as applied to claims 1, 5, 6, and 17 and in further view of the Swift patent. Claim 24 also includes receiving a requested account name from a user and providing a unique account name to the user for acceptance. As stated above, however, the Miller, Munroe, and Schlater patents do not include any teaching or suggestion relating to receiving a requested account name from a user and providing a unique account name to the user for acceptance. Swift likewise does not contain any such teaching or suggestion. Thus, the proposed combination of the Miller, Munroe, Schlater and Swift patents still does not achieve the invention of claim 24, and Applicants respectfully request withdrawal of this rejection.

Claims 25-29 depend from claim 24. For at least the reasons stated above, Applicants respectfully traverse the rejections of claims 25-29 as well.

Independent claim 30 stands rejected under 35 U.S.C. § 103 (a) as being unpatentable over the Miller and Munroe patents. As with independent claims 1 and 16, claim 30 includes receiving a requested account name from a user and providing a unique account name to the user for acceptance. Neither Miller nor Munroe teach or suggest any such limitation. Thus, the combination of the Miller and Munroe patents does not

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achieve the invention of claim 30, and Applicants respectfully request withdrawal of this rejection.

Independent claim 31 also stands rejected under 35 U.S.C. § 103 (a) as being unpatentable over the Miller and Munroe patents. As with independent claims 17 and 23, claim 31 includes receiving a request for an account name from a user and providing a unique account name to the user. Neither Miller nor Munroe teach or suggest any such limitation. Thus, the combination of the Miller and Munroe patents does not achieve the invention of claim 31, and Applicants respectfully request withdrawal of this rejection.

Finally, there is no suggestion or motivation from the prior art to modify the proposed combination of cited references to include the missing limitations indicated above. In particular, there is no suggestion or motivation to modify the Miller, Munroe, Schlater or Swift patents to include steps involving receiving information or a request from a user or providing an account name to the user for the user's approval. The Miller, Munroe and Swift patents do not involve a user at all. Furthermore, it would be impractical and serve no purpose to provide the subject object with the generated name and await the object's approval. The Schlater patent does solicit a column name from a user, but the name is merely used in a display. There is no reason to receive a request for a name or a potential name from the user and then provide the user with a modified unique name if the name is simply to be applied to a display for the user. Thus, Applicants traverse the rejections for this reason as well.

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Conclusion

In view of the foregoing, it is submitted that the present application is in a condition for allowance and such allowance is respectfully requested. Should any unresolved issues remain, please feel free to contact the undersigned at the phone number listed below.

Respectfully submitted,

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